hick he did it. I repeated. "Oh, I am sure of it, think so: a replied. "Oh, I am sure of it, think so: be me and said I will tell you wer his face he me and said I will tell you wer his face he me throat—I think it was done ory; he my throat—I think it was done

ally affiler he was locked up to have conversation with my son and Miss Smith and Mrs. White were with nectaced his innecence of the charge made against him; I dison my son that he was charged with the murder; I sentioused to pursons since that that I thought his deportions of the utmost propriety such as I should expect from cent man; think Mose, did not receive my conversation; subject of religion agreeably; I received no retain the seemed unconcerned; he said the last time is to him. "Oh, trouble me no more; let me peace"; there were persons looking in at the he last time; my opportunities, I should judge a best for hearing what Misees said; at the last moment is I stood at the foot of the bed; he never asked for a or for prayer, or anything of the kind; I did not know there; know mone of Donneily's connections; never them; I was brought here as a witness on the part of the receive of the person inc Moses my at any time it was \$55 he had won of Don-byle may have said \$195 for all I know; Mr. Smith may are pased through the room when I was talking with dirn; is seen was in the room; Dr. Munter was in the room; her fact that in the hall I think he had a dark frock-out in lines seemed to suffer a good deal. Era A. Osborne swort—Ann a surveyor; reside at Milleton; witness made a map of the Sea-View and sur-milian remises; describes made.

different witness made a map of the Sas-View and suruding premises; describes map.

A. T. Tompkins recelled—Donnelly's clothing was
led up in room No. 48, on August 1; part of clothing if delivit to a sentiment, representing thread to be Donnelly,
the bear may plees; can't say whether Donnelly was admitto his room after the clothing was put there; the balance of
selection were hept in the room in a short time, under WalC. Parsons and myself; I delivered them to George Finch, a
stice of the Peace at Red Bana; [pasts and coar submitted
identification] don't remember the pasts—the coat shown
be one sent on Saturday; I extendined the coat, and found no
so on it; cost was forn when I examined it, but not in the
se manner as it now appears; [witness shown Jury where
differently]; did not measure tears, but from recollection
size my ideas; on Sunday Mr. Bennett passed the coat out;
the September at Squite Sinch's request I brought the
se to Freehold; it was delivered at the house of Jos. Still
imy care; the Sheriff said he would send a man over and
it lare it up to him; saw no blood on any of the clothes;
was a bondle taken from Highlands with the trunk.

The Cooper, Sheriff of Monmouth County,

FFIANISM IN A DISREPUTABLE

AN SHOT DEAD BY A BAR-KEEPER-INQUEST BY CORONER PERRY. notorious dance-house of John Van Allen, No. ster street, where a dozen or more loathsome

are kept, was the scene of a bloody tragedy I o'clock yesterday morning, which resulted in latter, it appears, with some rowdy acquaint-

had been on a drunken spree all of Monday and at the time named entered Van Allen's o get some more bad rum. They demanded of Richard Morrissey, the bar-keeper, who degiving them any strong liquors, for the good tirat the same were locked up, and he had not ey. Morrissey, however, offered to furnish Morand his companions with porter or ale, providing would drink it and go away quietly. They deed to this, and immediately commenced a violent alt upon Morrissey, who ran behind the bar to away from them. Morrison and his companions wed him up to the bar, and reaching over the nter beat him with beer bottles and their fists.

terrison, more enraged than the others, started to did go behind the counter, and with a heavy botwhich he held in his hand renewed the assault n Morrissey, striking him repeatedly in the face on the head, inflicting various severe cuts and ises. In the scuffle which ensued between the two, rrissey was thrown to the floor, and while the blows falling thick and fast upon him by the trio of laste, he reached up to a shelf under the counter. stizing his doub'e-barreled pistol, fired and shot the floor, with the hope that the men would bealarmed, and leave the bouse. In this, however, as mistaken and receiving no mercy at the hands he arrailants, he raised his pistol again, and disged the other barrel, the contents taking effect in ison's mouth, and with fatal effect. He fell to door, and expired almost just satly.

e other two fellows who had been beating Mory from one the counter, seeing their friend fall d, rushed from the place and escaped. In a short e of time a large growd of persons had collected ut the premises and the most intense excitement siled. The Fourth Precinct Police were soon on spot, and arrested Morrissey, whom they took to Station-House, together with the body of the deed. Morrissey, in speaking of the tragedy, stated the considered his life to be in danger and killed rison only in self-defense. From the rumors then circulation, Morrissey's statement was believed to

true. In the afternoon Coroner Hills impanueled Mary and commenced an investigation into all the Numetances connected with the bloody affair. The Comper and Jury:

Charles McCannon, residing at No. 337 Water street,

Charice McCannon, residing at No. 337 Water street, and duly sworm, asys—I knew the deceased by sight; this baing, at 75 o'clock, I was in Water steet, opposite No. 304, at I heard the report of a pistol in No. 304; this hone is a management of the report of a pistol in No. 304; this hone is a management of the report I went of the same as the deceased lying he part behind the bar bired. I with his head toward the door, its seemed to be dying; I went with his head toward the door, its seemed to be dying; I went of the bar-tander, Richard Marrissey; he asked me to be to be Johnson; I did go; he did not come; I went alreedly be the Johnson; I did go; he did not come; I went alreedly be the pister at this time; I know nothing further regarding it; the pister was standing outside of the bar about the middle of the first was standing outside of the bar about the middle of the first was the deceased by on his right side; the door of No. 314 and locked when I went to the house; just be fore I went I as Warts Drivool come out; he was in company of the course; I saw the deceased and Mark Locales have the second and second and Mark Locales have the second and second and Mark Locales have the second and second an

being duly swein, depess and says—I did not know the deceased; at 74 o'clock this morning I came down for some water; I saw three men and the barkeeper; the deceased had a peticer bottle in his hand, trying the strick the barkeeper with it, who stood begind the bar; the three men wore talking very lond, seemed snery, and were in lisuoc; the deceased was at the tot of the bar, just about soing behind the bar; he still had the tot of the bar; just about soing behind the bar; he still had the tot of the bar, just about soing behind the bar; he still had find the bar; he had he had myself came down to quell the disturbance; Mr. Allen and myself came down soon and found the deceased iying behind the counter, monitor; the barkeeper was standing in the middle of the reson; just as 1 get to the opper sanding of the stairs I beard the report of a pistol, seeminy in the bar room; the barkeeper had rauch blood on him; the deceased, the lawkeeper and a man by the name of Chahley were all that were in the room when I returned; the deceased was trying to strike the prisone; the other men had numblers in their hands and were firing them at the looking glass; I had not been drinking; I was perfectly sober; the deceased said that, if the barkeeper did not give him all the inquer he wanted, he (the prisoner; would emash him; the prisoner said that he would give him all the petter he or they wanted if they would leave the house penceably, but could not give them any strong liquor, as he had not the keys.

Jane Watson, residing at No. 9 Cherry street, being duly swern, deposes and says: As I was going to work this morning; I passed No. 304 Water street, where I saw three men soing into this place; a young man was just taking down the shutters; the deceased wanted some liquor; the barkeeper with a porter bottle; the other two men were outside the bar in keys to give him anything but some porter and sarseparilla; the four went into the house at this time; I stopped and looked in; I saw the deceased behind the bar, quarreing with the

Chauncey E. Van Allen, residing in Fulton County, N. Y., being duly sworn, deposes and seys—I did not know the deceased; I slept last night at No. 304 Water street; this morning at 7 o'clock I came down stairs, having been called by one of the girls, who said that there was a disturbance down stairs and wished me to come down and quell it; as I entered the room I saw the bar-tender standing in the room whigh the blood from his face; I saw no one but him except one man looking in through the window; I heard a mono b-hind the counter; I was alarmed and went up stairs; my sister-in-law said to me as I was going down that aman had been shot; I did not hear pisted fried; the prisoner owned a double-barreled pistol, but I saw mothing of one at this time; I came down soon after dressing, when I saw a man lying on a shutter apparently dead; some one said to me as I was going down that the bar keeper land shot a man; this was, I hink, my sitret-in-in av; to ther's think said the same.

Thomas McCurkey, residing at No. 13 Hamilton

McCu-key, residing at No. 13 Hamilton Thomas Alcourkey, remaining a Arrivant for the horizon duly swore, deposes and says. This morning I was passing No. 304 Water street, just as the shooting occurred; I went in; others, show, went in; the deceased lay behind the bar, with his feet toward the door; I heard two shots fired; I saw through the window in the door a man, with a pastol in his hand, going toward the bar room; I cannot as where the man stood who held the pistol; when I went in I saw only one man, the barkeaper.

stood who held the pistol; when I went in I saw only one man, the barkeeper.

John Lanlor, residing at No. 311 Water street, being ally sworp, deposes and says—I anew the deceased for I7 years; lattely I have not seen him much; I know of no disturbance at No. 304 Water street; I heard two reports of a pistol or gun at No. 304 Water street; I immediately went to the place; as I was going I saw the barkeeper dragging another man by his hair out of the door; this man secuned drunk; it was not the deceased that I saw dragged out; I do not know him except by the name of Jones; he seemed bewildered and went into the cellar, and finally, was taken away by some one; when I got to the door. I found it fastened; I looked through the window, and saw nothing but one man walking up and down the floor; I then crossed the street to call a friend, and immediately returned; the door was still fastened; a nan went into the room while the prisoner was dragging a man out; the prisoner entered, and the door was made fast; I saw deceased lying behind the counter very quiet.

room while the prisoner was dragging a man out; the prisoner entered, and the door was made fast; I aw deceased lying behind the counter very quiet.

Henry Phillips, being duly sworn, deposes and says—I am an officer, attached to the Fourth Ward Police Station; this morning, about 7; o'clock, a man came to the Station-House and reported that a man was shot in Water street; I ran immediately to the place, and found the deceased lying on the floor, in front of the counter; he was not deed, but was mable to speak; there were several persons in the room at the time; few outside; I gave orders to have the door closed; it was done; I then went up-stars, and first met Caroline Statom; I asked her where the man was who shot the deceased; she said that she did not know anything about it; I teld her that she did know, and must tell me; she said that she did not know anything about it; I teld her that she did know, and must tell me; she said that she did not know him, but that the man who shot him went out the back way; I looked in the yard and around but could not see any one; the prisoner came here to the Station-House; the prisoner said that he shot the deceased in self-defense.

Christopher Wellie, M. D., being duly sworn, says—I have made a post mortem examination of deceased at the

—I have made a post mortem examination of deceased at the Fourth Ward Station House; I discovered a pistol shot wound which entered the mouth, lacerating the upper and lower Hps, and making a jagged wound, the bull passed upward fracturing

case given to the Jury, who soon rendered the follow-

ing verdict:

"That Ismes Morrison, the deceased, came to his death by pistol-shot fired by Richard Morrison, he having been attacks by the deceased; but the Jury do not fird that the attack we such as to justify defense with a murderous instrument." On this vereict, Morrissey, the accused, was committed to the Tombs to await the action of the Grand

The deceased was 29 years of age, and a native of New York, but of Irish parents. He resided at No. 22 Batayla street, where he has left a widow to whom he had been married four years. Merrison is said to have been a very bad man when intoxicated, and it was only a few nights ago that he was looked up in the Second Precinct Station House for some misde-

Van Allen's place has long been a sad nuisance to the Fourth Ward, and like many other similar dens in that vicinity, should be speedily broken up.

Not long since Van Allen's house was nearly demolished by a mob, and damaged to the amount of nearly \$1,000. One of the poor, deluded females who boarded with him died from the effects of excessive intemperance, and Van Allen, instead of decently interring the body in some respectable place, according to cusost instant death of a man named James Mor- tom in such cases, allowed it to be sent to Bellevue ouse, preparatory to being transferred to Potter's Field. At this mean and miserly course of Van Allen, the Water-street cyprians became very indignant, and collecting in large numbers at a late hour the following night, made o descent upon Van Allen's house, which they gutted completely, and nearly tore it down over his head before desisting. No one interfered with these woman, and Van Allen never complained against them.

THE THOMAS-STREET HOMICIDE.

THE INQUISITION CONCLUDED. Coroner Perry yesterday held an inquisition at the Fifth Precinct Station-House upon the body of Catharise Young, the woman who died on Sunday last at her late residence, No. 41 Thomas street, as charged, by the effects of violence received at the hands of Henry Johnson, a colored man, with whom she had been living for a year or two past as his wife. The evidence adduced, of which the following is a copy, seems to make out quite a clear case, if not of murder, of a series of violent assaults upon the decoased by Johnsop, the accused

Sarah Ann Ostrander, residing at No. 41 Thomas Sarah Ann Ostrander, residing at No. 413 Inomas street, being duly awonn deposes and says: I lived in the same house with the deceased; the deceased and Henry Johnson, the man she lived with, have frequently quarried with each other t hast Thursday, in the evening, I heard Johnson scoiding the deceased, and the deceased was crying, I soon afterwards heard the deceased fall on the floor; that is all theard that evening; no one was in the room with her and her man; they tired slose; I saw her sain on Saturday evening; she was then lying on the floor on her back; others were in the room who said that she had been drinking; she was in a stupefied condition; I saw no blood on the floor; her eye was blackened; she breathed heavy, like one snoring.

Phebe Ann Brenner, residing at No. 41. Thomas street, being duly sworn, deposes and says—I lived in the house with the deceased. I have known the deceased for some time; she and the man Johnson were in the labst of quarreling with each other; on Thursday evening last I heard loud words in the room of deceased, who was in the room at the time with her husband; I stopped at the door and listened; soon I heard a fall like a green failing on the floor; I heard no blow struck; I heard the deceased cry out, "Oh, my head." I saw nothing more of her thil Saturday evening at I o'clock, when Johnson came to my room and asked me to come and see if Catharine would live or die; I went up to the room and found her lying very low; she breathed hard, like one snoring; she tived till noon the next day, when she died; she was in a stupid condition when I was called to see her on Saturday evening, and remained so all the time; I saw blood on the floor; my impressions were that she had been badly beaten; it is the general rumor among the neighbors that Johnson was in the liabit of beating the deceased.

Dr. James McCune Smith being aworn, says—I was called to the deceased on Saturday night by a woman; Johnson was each and and that his wife was very ill; not being sworn and called to the deceased on Saturday night by a woman; Johnson was each and and that his wife was very ill; not being sworn and the come and called to the deceased on Saturday night by a woman; Johnson Phebe Ann Brenner, residing at No. 411 Thomas

babit of beating the decession.

Dr. James McCune Smith being sworn, save 1 was Dr. James McCune Smith being sworn, save 1 was called to the decessed on Saturday night by a woman; Johnson called to the decessed of the said that his wife was very ill; not being came next day, and said that his wife was very ill; not being cased lying on a cot dying; she had a black eye, her breaching ceased lying on a cot dying; she had a black eye, her breaching than an appearance struck me as that of a person dying from the affects of alcohol, or some depressing poison; there was no stertorous breathing; her pulse was very slow; I saked Johnson how she came with the black eye; he said she had fallen off the bed while drunk.

Mary Folk, residing at No. 41 Thomas atreet, being

stertorous breathing, her pulse was very slow; I asked Jointon how sho came with the black eye; he said she had failen off the bed while drunk.

Mary Folk, residing at No. 41 Thomas street, being sworn, says—Not seeing deceased on Friday, and considering it strange, I called at her door on Saturday merning: I found her lying on the bed; a colored woman was in the room at the time; deceased appeared somewhat bruised, her eye was black ened; she complained of pain in her head; she seemed quite helpless; she told me she had fallen on the furnace the night hefore; I saw blood on the floor of her room: I cleaned it up. I did not see her again until after her death.

Mary Dilworth, residing at No. 41 Thomas street, helion sworn says—I have known deceased for some time; she and Joinson with whom she lived, have frequently quarried with each other; same two or three weeks since I saw Johnson knock deceased down; I saw this through the window; the shades being up at the lime; this was on the might I heard her early incurred and weretch, and heard her fail on the floor; no can was in the room at the time except deceased and her husband.

Doctors Finnell and Weltjo, being duly sworn, say they have mide a post mortem examination of the body of deceased, at No. 41 Thomas street, we found several bruises in dismester on the anterior portion of the right was prent, unally one was found on the light of foot of the same side, the right study was contract and backmed, and had the appearance of active day standing; attentally the sord; was found on the light of foot of the same side, the right sor was contract and had the appearance of active day standing; attentally the early was found on the light of foot of the same side, the right sor was contract and backmed, and had the appearance of active day standing; attentally the early was found only, switce and lambded in fine attention of the

shall corresponding with three injectes; or removing the calve-sum a large cloud threed was found covering the right beam phere of the brein, and extending to the base of the small, he chark, its our epinics, was caused by compression of the brein from cattawashed blood, the result of injectes to the head.

With the doctor's testimony the investigation was brought to a close, and the matter placed in the hands of the Jury, who soon returned a verdict that the deceased came to her death by compression of the brain, caused by injuries inflicted by Henry Johnson on the 17th day of September, 1857 The accused was then arraigzed before the Coroner and underwent the usual prediminary examination, after which he was committed to the Tombs to await the action of the Grand Jury. The following is his examination:

Henry Johnson, teing duly examined according to law, on the namezed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, put.

as follows, viz:

Q — What is your name? A — Henry Johnson.

Q — How old are you? A — Don't know.

Q — Where were you born? A — Pompton, N. J.

Q — Where do you live? A .— No. 41 Thomas street.

Q — What is your occupation? A .— Laborer.

Q — Have you anything to say and if so what, relative to the charge here preferred against you? A .— I know nothing about the matter. HENRY N JOHNSON.

The deceased was about twenty-eight years of age, and a pative of Scotland.

THE COMING ELECTION IN THIS CITY

The Times has fallen into several errors in respect to the laws governing Inspectors and District Canvassers at the approaching elections. It states that the Inspectors elected last year will serve this year during the day of election. The Times ought to know that the re-districting of the city and the change of boundaries in nearly every instance is held to dispossess the elected Inspectors, and, as in cases of vacancy, the Common Council will, by joint resolution, appoint in every instance-in all about five hundred Inspectors. Canvassers of an equal number are to be appointed in the same way. It might have been the intention of the new laws to elect Inspectors and Canvascors in November to serve at the Charter election in December; but that intention will be frustrated; the Common Council and the Corporation Counsel will decide that Inspectors and Canvassers are Charter officers, and casnot be elected except at a Charter election: therefore they will appoint for both elections, and elect in December for next year. The law of 1857 which provides for Canvassers is not general, but is restricted to New-York and Brooklyn. The Statute directs that Inspectors shall be chosen annually at the Charter elections, and the names shall be on the same ticket with town and Charter officers. As our Charter election is removed to December, the Common Council will assume the appoint-ment of the whole batch of Inspectors and canvassers for both elections. How fairly the overwhelming Wood majority will do this remains to be seen. If the spirit in which they have made the new districts is to rule, they will take all the chances that lie in their way. The theory of districting has been-To change all the districts if possible, so as to be sure to throw out of office all the elected Inspectors; to make the largest possible number of districts in wards where the Wood men will have all the appointments; to make the fewest possible number of ditricts in wards where the opposition would, by common courtesy and usage, have the controlling voice. Taking seven strengly Democratic Wards and seven other Wards where the opposition are in the ascendant, we find the following comparisons: The seven Democratic Wards gave an aggregate of nearly 25,000 votes last November. For the accommodation of this vote there were then 46 election districts. Now we have 61, being an increase of 15 districts, or 33 per cent. The seven other Wards cast about 30,000 votes, and had 45 districts. By the ratio of increase applied to the Democratic Wards, they should have had seventy six districts; but they get only 52, being an increase of seven. In the Democratic Wards there are only 407 voters to a district; in the other Wards there are 561 voters to a district, according to the vote last Fall; while according to the Consus the disproportion is still more apparent. By the Consus return there is an average of 443 voters in the new districts in the Democratic Wards, and 640 to a district in the other Wards. The Sixth Ward, for instance, cast 2,880 votes, and the Ninth 5 793, or twice as many. The Sixth Ward is divided into eight districts, leaving 360 voters to each pell. The Ninth Ward gets but ten districts, leaving 80 voters to a poll and by the Census no less than 710 to a poll, against 370 in the Sixth Ward., Tae Sixth Ward gets an increase of two districts, and the Ninth Ward of one only. Only two Wards, tue Ninth and Fifteenth, are represented in this Board entirely by the opposition. These two Wards poiled last Fall 9,600 votes, at 15 voting places. They now have 17 polls-an increase of one to each Ward. The Eighth and Eleventh Wards polled about the vote, 9,750; but they then had 18 polls, and they now get 23. The following table shows the comparison of seven Wards:

79.627 480 **■**,817 Total .. 136 166 The vote for President, upon which this districting s based, was as follows. Singularly enough, the in crease of districts appears to be almost entirely confined to sections which gave Mr. Buchanan the largest

proportionate vote:

Wherever the fault may lie, it is too late to remedy t. By their own construction of the law, the friends of the Mayor will virtually take possession of the polls. They have the judges of election; they receive and canvass the votes. If it is true that Mr. Wood was in 1854 " elected after the close of the polls, what better can we hope when he has the selection of all the Inspectors and Canvassers? By easy consciences in his strong Wards, and concerted obstruction of the polls in places opposed to him, five thousand ideal votes may be taken and ten thousand legal votes kept out. At the First Iristrict poll of the Fifteenth Ward, last November, over aix hundred and fifty votes were polled, and when the sus set from fifty to a headred were waiting for a chance to deposit their ballets. Yet by the new boundaries, that district is actually made larger. Last Fall the taking of rotes at that poll was purposely obstructed by the friends of Wood, because three fourths of the voters were against him. And so in nearly every district, the game was to give the Democracy the greatest facilities, and suncy and delay the oppoatton by frivoicus crailenges, crowding, fighting, see any feasile means. But if there have been orweights in the deavering law, we are

is for peace, order and free access to the polls, se responsible for the protection of the boxes. The sature also requires them to provide the boxes appoint the cierks. Let them give us boxes that be stuffed, appoint clerks of intelligence and at: city, provide regular and special policemen equal to the prompt suppression of rowdyism, saut up the run shops on the day of election, and we may, after all, get something like a fair show.

SMASH UP ON THE NEW-HAVEN RAIL ROAD.

At about 7! o'clock on Tuceday morning, as the New-Haven train was passing Fordham on the downward trip, the engineer saw that the switch was out of order by being displaced from its proper position, and mmediately reversed the engine and signaled to the brakemen, or otherwise the loss of life would have probably been serious. As it happened, but three passengers were burt. The Company had been re-pairing the road, and the workmen had carelessly left the switch so that it would throw off a train of care. The locomotive was upset, the tender and next two cars were bounced along the sleepers but kept on the embankment, and the third and last car would have been thrown against a rail fence only for bringing up

ognizet a telegraph pole.

One of the men injured had his ribs knocked in by the corner of one of the seats, and was taken to Mount Verron-the other two, more or less injured, came down to New York. The passengers say it was carelessness of the switchman that caused the accident. The white signal board was up, intimating that all was right. The train had gone the sixteenth of a mile past the south Station-House before it stopped in the sand and stones. The passengers were tossed about, in the last car especially, and much frightened. The wreck lies now by the side of the road. The manner in which the rail was laid switched the train completely off on the gravel.

The switchman fied as soon as he discovered the result of his careleseness.

MARINE AFFAIRS.

THE STEAMSHIP EMPIRE CITY.

The expense to repair the Empire City will, it is said, be \$20,000, and the work will consume six wesks. Capt. McGowan reported at the Mayor's office on Monday morning, a list of ninety-four passengers and crew brought on. Of them, four are merchants, twenty-eight mechanics, three clerks, thirty-six women and children, and twenty-three seamen. Total nitety-four. None on board were over thirty years of age, except H. Hardenburgh and Alexander Gardiner. who are each 44. It is said that Capt. McGowan will not go out any more in the Empire City. Another vessel s being fitted up for him.

The proprietors of The Boston Courier have re ceived donations for Mrs. Patter, the heroine of the elip "Neptune's Car," smounting to \$1 399, which they have paid over to the representatives of that lady.

FIRES.

FIRE IN FIFTH STREET-RESULT OF CARELESSNESS

At a quarter past 2 o'clock Tuesday morning, Office Hitchcock of the Seventeenth Precinct, discovered fire in the stable of William Neusbaum, No. 50 Fifth street, and extinguished it with a few pails of water, without raising an alarm. Upon examining the premises, it was found that a candle had been left burning on the feed box, and the caudle burning down, se; fire to the wood-work. The fire would soon have coming sicated to the hay but for the discovery by the officer A German laborer named Roches Homer, who was seleep in the stable at the time, was arrested and sen to the Court for examination, but there being no evidence sgainst him, he was discharged.

CITY ITEMS.

OUR MODEL CHIEF ENGINEER. - On Monday night the Committee or Fire Department of the Board of Councilmen submitted a report relative to official mis conduct on the part of Mr. Heury H. Howard, the Chief Engineer of the Fire Department of this city. The facts are stated at length in the report, and they indicate the manner in which our model Chief En-gineer makes use of his office to subserve the purpose of self-glorification. It seems that in the early part of the present year a petition was sent to the Fire Commissioners, by various persons, asking that they be organized into a Hook and Ladder Company in the eastern part of the city. The petition was refused. Subsequently a second position, and after some delay was finally granted by the Commissioners. But in order to make the grant valid, the Common Council must confirm the decision of the Fire Commissioners; and until that confirmation is given, the Chief Engineer is instructed by a law of the city, passed early in 1855, not to receive the returns of any persons organized as a fire company until the compary is provided with the location and apparatus by the Common Council, and not to date the returns to the Common Council, for confirmation, until the com pany is fully ready to perform active fire duty. But in the case of this company, which was organized among the special friends of the Cuief Engineer, who was to be glorified by the adoption the familiar patronymic of their favorite, as the name of the Company, the end to be gained was considered sufficient by Mr. Howard to act in clear violation of the charter and laws of the city. On the 23d of June, two months before the report of the Fire Commissioners was confirmed by the Common Couneil, Mr. Howard delivered firemen's badges to the members of the Company, assigned them a temporary location, and furnished them with apparatus, he mis representing the facts to the Controller, as appears by the statement of that officer, in order to get his concurrence, which was necessary to carry out his design. The result was that " Harry Howard Hook and Ladder Company, No. 11," an entirely irresponsible body of men, were invested with powers of firemen; and whatever might have been their acts of insubordina tion, they could not be held accountable, because o the illegality of their organization. Beside which consideration, these irresponsible parties were placed in possession of the property of the city, for the safety of which they were no more accountable than a body of boys that might, by the same means, get hold of any of the municipal property. The members of the Com-mittee who sign the report, Councilmen Baulch, Kennard and Brady (all of whom are old firemen), regard the action of the Caief Engineer as one deserving of severe reprobation, and in the resolutions appended to the report, they pronousce his course to be disrespectful to the Common Council, reprehensible and dangerous, and they instruct the Controller not to make any expenditures of money for work or supplies certified to by the Chief Engineer, unless such expenditures shall have been authorized by the Common Council and known to be true and correct as required by the

Mr. Thomas Hunter was on Monday night elected Principal of Ward School No. 35, in the Fifteenth Ward, by the unanimous vote of the School Officers. This speaks well for the astimation in which he is held as a teacher.

THE SEAWORTHINESS OF THE CENTRAL AMERICA -Netwitestanding the options of insurance inspectors, and the statements of Mr. Wabb, the builder of the steamer George Law, against the reasonable inference from the facts connected with her loss, there is now a very general inquiry among the intelligent circles with reference to the seaworthiness of that unfortunate steamer. An intelligent gentleman of this city, who has offer had occasion to take see voyages, and who is familiar with the general working of steamers, was a passenger on the steamer George Law on her 381, trip from Aspinwell to New-York. He is intisave that the Merropolities Police Commissioners wil metaly acquaint f with Mr. Ashby, the Chief Engi-

seer, and pseced a large portion of the time on the trip in his company. He speaks of Mr. Ashby in the highest terms as a man of great practical ability, and thinks from his knowledge of his character, that the acceverations against his personal courage do him great frjastice. In speaking of the George Law on that trip. Mr Ashby stated she had not been hauled up for repairs since the time she was launched; tha the gearing of the machinery of the steamer was sadly in need of repair, and that she ought to be laid up for a thorough renovation, as it was rickety and falling to pieces. During this trip, there was a succession of beavy gales, in which many vessels were lost, and while the storm was raging the upper cabin would sway with an uneasy motion backward and forward from the deck, indicating that her wood-works were in a no better condition than Mr. Ashby described her

FILLIAR STERING IN NEW-YORK -District Attorney McKeer, understanding that an expedition against Nicaragua was on foot in this city, sent to Marshal

McKeor, understanding that an expedition against Nicaregua was on foot in this city, sent to Marshal R; nders the fellowing instructions:

United States Distract Attornays's Office, New-York, Sept. 22, 1837.

Sib: Information has reached this office which induces me to believe that arrangements have been entered into within this district to carry on an expedition of a military character scalest Nicarague. The organization of such an expedition is in direct violation of the mentality laws of the United States. All patters who set on foot, or prepare the means for military enterprises against a country with which we are at peace, as we has persons who hire or retain any person to leave the United States with intent to be cellsted in the service of a foreign power, are liable to fine and imprisonment.

Regard for our treaty stipulations with foreign nations; respect to ony own laws enacted to preserve our neutrality, and the apinit of humanity to save from suffering and death our own countrymen, who are likely to be misled by the mirrogreentations of interested adventurers and unprincipled marsuders, should prompt every officer charged with the execution of the laws of the Union to omat no opportunity of prevening the success of the proposed illegal expedition.

The President has a light to look to this office as well as that with the responsibilities of which you are charged for the exercise of the most active diligence in the enforcement of the neutrality laws.

The Septentry of State has already called the attention of the efficers of the United States intrusted with the securition of the laws to this subject and I have every reason to believe that you will chaerfully cooperate with me in carrying out the wishes of the President, expressed through the State Department.

I the refore respectfully request that you will communicate promptly to me all matters which will come to your knowledge in relation to any violation of the status to preserve our neutrality, so that I may take proper measures to have the law vi

CRICKET To DAY .- A Cricket match is to be comnenced to-day upon the grounds at Hoboken, between the First Eleven of the New-York Club and Sixteen of the Albany Club. It will probably last two days, and will be a closely contested and exciting match.

Cornelius S. Bogardus, esq., for a long period Deputy Collector, and subsequently Naval Officer at this port, died yesterday of consumption, in the 46th year

"THE GENERAL ADMIRAL." -One item of interest connected with the ceremony of placing the silver plate in the keel of the General Admira has not yet been noticed. It appears—or rumor says so—that when the guests arrived at the Clarendon to partake of the bounteous collation provided by the Russian Minister, the United States District-Attorney, John McKeen, esq., who had been invited with the rest, was about entering to enjoy the feativities the occasion afforded, when he was startled to see our "model Mayor" present. Rumor says that John immediately left the scene in ineffable disgust.

JOHN SMITH, THE CONVICT .- On Morday John Smith, alias Francisco Soares, convicted of the murder of Charles L. Groves, cook of the brig General Pierce, was taken up to Sieg Sieg to serve out his sentence, commuted by the President from death to seven years at hard labor in State Prison. He was taken on the 4 o'clock Hudson River train, in the custody of First Deputy United States Marshal Thompson. He appeared in good spirits, no doubt occasioned by his escape from death. His companions, John Ned, John Brown and John Da Costa, twice convicted of manslaughter, have each six years to serve at hard labor, and to pay a fine of \$2,000.

OLD CLOTHES FOR THE POOR .- Thousands of famlies at this reason have stocks of old clothes, which are thrown or given away, without much benefit to any one. The Children's Aid Society have numbers of poor little creatures under their charge, who could be defended by these old garments sgainst the Winter's cold, or could be decently prepared for their homes in the country. Will not the wealthy and comfortable think of these shivering children as they look over their old clothes, and kindly forward the package or the address to the office, No. 11 Clinton Hall, Astor place.

THE SNUPA BOX.

The SNUTE SNUTE To the Editor of The N. Y. Tribune.
Sin: According to the wording of the will of our illustrians that no man is yet entitled to the good sound-box. By the will the box is to be given to the person "most caliant is "defense of his county and our country's rights." If we redefense of his country and our country's rights." If we redefense of his country and our country's rights. "defense of his county and our country's rights". It we respect the meaning of the words, nobody has yet earned the valuable legacy. The General having been engaged during many years in defending his country against invadors and offenders from abroad, anticipated a recurrence of the invasion; therefore, to encourage bravery in aftertimes and generations, he bequeathed the gold box to the "most collisat in DERINSE of his "county and our country's rights." The Mexican War was a west of aggression, an offensive war, and a contest in which the bravest. "most valuat" man could lay no foundation for a claim to the justly withheld box.

According to the proof of the proof of the country's proof. 22, 1207.

ATTEMPT TO SHOOT HIS WIFE-SUICIDE OF THE ATTEMET TO SHOOT HIS WIFE—SUICIDE OF THE HUSBAND—Recently Coroner Parmenter of Newborgh held an inquest upon the body of Exa Underful, of that village, who committed suicide by shooting humself with a pistol. It appears that he and his wife have been separated for some time peat, and hearing that she was at the house of a Mrs. Coon, berrowed a pistol, and after some difficulty successful in gaining an entrance, when he deliberately leveled the pistol at her, but it missed fire. He was then ejected from the house. Shortly afterward the report of a pistol was heart, and the unfortunate man was found quite dead, he having shot himself through the head.

ACQUITTED.—Berjamin Cole, who was indicted for the murder of Aaron Cole, last Spring, was acquitted at Pongh-

the murder of Aaron Cole, last Spring, was acquitted at Pongh-heppie on Saturday. He is also indicted for manulaughter in hiding Charles Saulpaugh, but was liberated on his own recog-

ANOTHER HORSE STOLEN.—On Saturday night, a light grey mare was stolen from the pasture of Mr. A. Herman of Falls Village, near Datchess County. The owner offers a reward of \$\frac{1}{2}\$ of for such information as will scoure the thief and the return of the horse.

TEMPERANCE CONVENTION AT POUGHKEEPSIE. There was a Convention of Ministers at Poughkeepile last week, commencing on Wednesday, to consult on the subject of Temperance, and how its progression could be insured.

BURGLARY AT HUDSON, - The drug store of P. Penderson was forcibly ensered by burglars late on Friday night, and robbed of money and other articles to what extent is unknown. The sate in which Mr. P. kept his books, &c., was moved from its place, and forced open, apparently by the same instrument used at the door, aided by a manuser, which they found in the store. Nearly all the drawers in the shop were opened and rummaged. No arrests here yet been made.

Horse Stealing.-Horse stealing and burglaries HORSE STEALING.—Horse stealing and burglaries appear to be the favorite means, if successful, in suddenly occumulating money, or, if unsuccessful, as suddenly inding themselves in the State's Prison to the thieves and regues on the Hudson River. Mat Vassar, ear, of Conghar-psie, recently had a splendid horse stolen, but after offering a reward of \$100, \$50 for the arceed of the thief, both horse and thief quickly made their appearance in Poughla-epsie, having been found in company near Chatham Four Corners.

[Advertisement.]
Mr. J. H. ALLEN, the popular tragedian, is to appear at PURDY'S NATIONAL THEATER to night in the celebrated drama of "Brian Borothme," supported by Mr. F. E. Aiken, G. L. Fox, Mrs. H. F. Nichols, Miss. Wilks, &c. The pantomine of "The Red Guome" will next follow, with Mr. G. L. Fox, the Messrs, Denlers, &c., and the performance with conclude with the opera of "Guy Mannering." Enough, in all conscience, for the small fee of 25 cents. Go early.

[Advertisement.]]

REALLY DELIGHTFUL!—To see the dear little fish fed in the Ocean and River Gardens, or Grand Crystal Aqueria, at Barnom's Museum evry morning s' 11 a m Nothing could be more interesting. The Welsh Nightingale this afternoon and evening. The Physioscope also tonight.

The attention of Gentlemen is particularly invited to our beautiful and very attractive Hat for Autumn.

Warnock & Co.,
No. 519 Broadway,
St. Nicholas Hotel.

GEO. SAUNDERS'S METALLIC TARLET STROP. the oldest and most approved article in use, having beet the public the last & years. The genuine can be obta J. & S. Saunders, Store only at No. 7 Astor House.

CCRAL KALYDOR—YOUTH, HEALTH, BEAUTY,
The new cosmetin—One bottle will insure a skin of snow,
cod at No. 705 Brosaway.

EDWARD H. PIXON, M. D., Editor of the Bericol, and Operating and Committing Surgeon, No. 47 Sch-av. Oth., a near-strong 5 to 5, 150 S, and 7 to 5 avonings.

BROOKLYN ITEMS CITT MORTALITY .- The report of the Hesith Officer for the week ending September 19, is as follows: Males 94, females 74; total 168, Men 15, boys 79, women 14, girls 60. The principal diseases were:

Cholera infantum, 25; convulsions, 17; disease of brain, 17; marassus, 16; consumption, 11; discribes, 11; dysentery, 9; debility, 7; scarlet fever and osc-gestion of the lungs, 5 each. Of these 138 were between the ages of one and tweaty years. 141 were of the United States; 14 from Ireland; 4 from Bogland; 2 from Scotland; 6 from Germany; and 1 from

QUEENS COUNTY FAIR .- The Annual Pair of the Queens County Agricultural Society will be held at Jamaica, Long Island, on Thursday, 24th iest. This Society is one of the oldest and most energetic in the State. Its exhibitions have in past years at rected much attention, and it is expected that that of the present season will be unusually extensive and excellent. A spacious tent will be erected on the grounds of Gov. King, adjoining the Episcopal Church, and we learn that the Governor, for many years President of the Socie y, will be present and receive his friends throughout the day, in a tent especially provided for that purpose.

ALLEGED FALSE PRETENSES .- William P. was brought before Justice Voorhies resterday on a charge of obtaining some sixty dollars worth of lumber from Heary 35 Conkling, preter ding that the same was for Henry Crocker, a builder. He was held to await the action of the Grand Jury, He was arrested by Constable Wm. Hyde.

GRAND LARCENY .- Four men, named Thos. Mulvary, Brien Mursay, Wm. Whittman and Wm. Picket arrested on Monday evening by the Eighth Ward Police charge of stealing some goods from the store of Mary J ham, in Twenty-first street Gowanus. They had been in place drinking, and, in heing ordered out, took the goods them. Held for examination.

BURGLARY.—The house of Capt. Howland, No. 128 Congress street, was entered on Saturday night last by burglars, who, after packing up all the valuable articles they could find, regaled themselves with a collation in the basement, and de-camped with about \$500 worth of valuables. The family were in the house asleep, and were not aware of their loss till recently.

PATENT SAFE SWINDLE.—Chas. Richards of New-Have, Huron County, Onlo, was done out of \$70 on Sunday afternoon last by the petent safe game in Gowanus. He did not succeed in recovering his lost money, and was left almost destitute to return to his home.

Fell From a Building—Yesterday afternoon a man named John Fee, while intoxicated, fell from the third story window of a house in Haron at. Greenpoint and was deargerously injured. Hew was conveyed to his residence is Fifty third street, New York.

PICKPOCKETS AT THE CIRCUS.—The pickpockets did rather an extensive business at the circus in North Second street on Monday night. John W. Wood of Morth Seventh street loat a valuable gold watch and chain. James Ainelio, Fifth street, near Soutis Fifth, had \$15 stolen. James Donohus was robbed of a gold watch and \$39. Several other persona had smaller amounts taken from them. The same evening, a dwelling house in Fillmore place, occupied by four families, was entered, and about \$100 worth of jewelry was taken.

LAW INTELLIGENCE.

SUPREME COURT-GENERAL TERM-SEPT 22 -Before

budges Mitchell, Roosevelt and Peasody.
THE LAW OF TRADE-MARKS—CLARK'S SPOOL COTTON,
John Clark J. Co. set. George Clark and another.
The Plaintiffs are manufacturers at Mile End, Glas-

John Clark J. Co. ast. George Clark and another.

The Plaintiffs are minurfacturers at Mile End, Glusgow, of spool cotton. In 1844 they used their present trademants, consisting of four concentric circles, the inner one in gold, the next in silver, the next black, with letters in gold, the next in silver, the whole bounded by two concentric black mat in silver, the whole bounded by two concentric black ince. I the inner circle is the number of the cotton, in the next, in silver, the whole bounded by two concentric black ince. I the two properties of the cotton, in the next circle are the words. "Six oord golds thread, warranted 2.0 yards." It the outer circle are the words, "Sole agent, Wim. Whiteveright, New York."

J. & J. Clark & Co. are also somefacturers of the same article at Seed Hill Tarbey the decondant, creation to the Shark agent. They have both a search the plaintiffs' trade mark w. The reconstitution of the cotton to be sold in the United Shark agent. They have both a search the plaintiffs' trade mark w. The reconstitution of concentric spaces of precisety the same did mensions as these of the plaintiffs, of the same colors, in the same coter, with the letters in black or in gold, as in the plaintiffs'. There is the same number for the inner circle, with the same have, with the letters in black or in gold, as in the plaintiffs'. There is the same under the latter of the same cotton, in the same words, with the same have, as far as they go, as the plaintiffs', though these last words are eniony different from the plaintiffs', hough these last words are eniony different from the plaintiffs', hough these last words are eniony different from the plaintiffs' is cord cabled thread, warranted 200 yards," precisely as in, the plaintiffs' in black ground and gold better—and in the outer divides the words, "Sole agent, New York" being the same as the plaintiffs' in black ground and the stamp for the letters being exactly alike also in both.

There is thus an evident design to initiate the plaintiffs mark and

defendants have "George Clark," "Seed Hill, Paisley," Clark & Co."
The effect of this imitation must be that all, except very can ious purchasers, would be decided. Some who may have known that William Whitewright was the opens of the plain tiff, would naturally suppose that George Clark had been substituted, so that the difference of the names of the agents would

icous purchasers, would be deceived. Some who may have known that Williams Whitewrisht was the agent of the pishtist, would naturally suppose that George Clark had been substituted, so that the difference of the names of the agents would not prevent deception.

The nome of 'Clark & Co." is so near to "J. Clark, jr. & Co." that it would pass for the same, especially when placed in the same position, in the same kind of tetters, and on the same ground. The difference in residence being stamped so as to be read in the reverse of the resp of that circle, might pass unnoticed.

The law of trademarks is of recent origin and may be comprehended in the proposition that a dealer, has a property in his trademark." The ownership is allowed to him that he may have the axclusive benefit of the reputation which his skill has g vin to article made by him, and that no this. An imitation of his mark, with partial difference, such as the public would not observe, does him the same harm as an entire counterfeit. If the whole-ale buyer, who is most conversant with the marks, is not misled, but the small retailer or the consumer is, triph of action must exist for the last as well as the first. If all consumers do not discriminate, in the end it would be indicedent ven to the whole-sis buyer. Who is most conversant with the defendants in this case shoulds conjuded from using the mark is not the public would not observe, does not be important of the public would not observe, does not be supported to the public would not observe the public would not observe the public would not obtained the public would be indicedent ven to the whole-sis buyer from which they have were deceived from using the mark which they now use does not provided from using the mark which they now use does not receive the mark which they now use of the mark of the other hards. This could be does by inserting their firm name is 12 & J. Clark & Go,; they manufacture which they now use the work which they now or similar the provided of the mark of the other.

The imp

Motion denied.

Before Judge Davies.

Mary Ann Blatchford act. New York and New-Haven Railcook
Company.

In this case an application was made some time
since for an absolute and final injunction, restraining the desince for an absolute and final injunction, restraining the deincents from making or declaring any dividend until the effairs
or the company were settled. The Judge at the time granted to
temporary injunction. The case coming up for argument on
toolion to dissolve, the injunction was dissolved, and the application that it be made perpetual denied.

UNITED STATES CIRCUIT COURT-SETT. 22,-Bother

UNITED STATES CIRCUIT COURT—SERT. 22.—Before Judge NRLSON
DECISION IN ADMIRALTY ON APPEAL—SALVAGE SERT-VICE—APPORTIONMENT.
Charles Caron set. Charles B. Sandford and others.
NRLSON, C. J.—The libtle was filled in this came by the appellers in the Court below, to recover salvage for contributing to the recent of the ship Underwriter, which was stranded on Squan Beach in April, 1854, laden with cargo and passengers.
The libelants were owners of the ship Delaware, which had started or one of her usual trips from the City of New York to the city of Elihidesphia, and, on the morning of the 17th days depended but the wind was fresh from the Ising, and the same radiing beauty apon the wessel. She had on board tederson 19th and 200 passengers. Effects were being made from the shore to communicate with the Underwriter by life boots and otherwise, but without success. The master of the Delaware meaned her, and sent a best to communicate with the Captain and ascertain if he desired the Delaware reference that he desired the Delaware from the Captain succeeded in the communication, and beared from the Captain succeeded in the communication, and beared from the Captain succeeded in the communication, and beared from the Captain succeeded in the communication, and beared from the Captain succeeded in the communication. The hands in the hear succeeded in the communication, and beared from the Captain succeeded in the communication. The hands in the hear succeeded in the communication and beared from the Captain succeeded in the communication. The hands in the hear succeeding the succeeded in the communication and beared from the Captain and succeeding the communication and beared from the Captain and succeeding the communication and beared from the Captain and succeeding the course of the succeedin